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FRANCISCO FILHO

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

UNITED STATES OF AMERICA,
Plaintiff,

vs.

FRANCISCO FILHO
Defendants.

CASE NO. 2:17-cr-00001-JAD-CWH

**STIPULATION TO CONTINUE
SENTENCING**

(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by and through Patrick Burns, Esq., Assistant United States Attorney, and Francisco Filho, by and through his attorney, Christopher R. Oram, that the hearing for Sentencing in the above captioned case set for December 11, 2018, at 10:00am be vacated and continued to a date and time convenient to the Court in late January, 2019. Counsel for Mr. Filho would respectfully request a sentencing date prior to January 28, 2019, to avoid conflict with a trial scheduled to begin at that time (*USA v. Palafox*, 2:16-cr-00265)(Defendant Morales).

This is the first request by counsel for a continuance of the Sentencing hearing in this case.

This Stipulation is entered into for the following reasons:

1. Counsel for Mr. Filho requires additional time to review the recently disclosed discovery, the Presentence Investigation Report, and to meet with Mr. Filho.

2. The parties agree to the continuance.

3. The additional time requested by this Stipulation is made in good faith and not for purposes of delay.

4. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that “the court may, for good cause, change any limits prescribed in this rule”.

5. This is the first stipulation to be filed herein.

/s/ Patrick Burns 11/15/2018
PATRICK BURNS DATE
Assistant United States Attorney

/s/ Christopher R. Oram 11/15/2018
CHRISTOPHER R. ORAM DATE
Counsel for Defendant Filho

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based upon the pending Stipulation and good cause appearing therefore, the Court finds:

1. Counsel for Mr. Filho requires additional time to review the recently disclosed discovery, the Presentence Investigation Report, and to meet with Mr. Filho.
2. The parties agree to the continuance.
3. The additional time requested by this Stipulation is made in good faith and not for purposes of delay.
4. The time requested is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states “the court may, for good cause, change any limits prescribed in this rule”.
5. This is the first stipulation to be filed herein.

ORDER

IT IS THEREFORE ORDERED that Defendant Filho’s Sentencing scheduled for December 11, 2018, at 10:00 am be vacated and continued to January 22, 2019, at the hour of 2:30 p.m.

DATED this 16th day of November, 2018.


UNITED STATES DISTRICT JUDGE